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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/964,160	09/26/2001	John A. M. Cameron	WEAT/0150	9581

7590 07/10/2003

MOSER, PATTERSON & SHERIDAN, L.L.P.
Suite 1500
3040 Post Oak Blvd.
Houston, TX 77056

EXAMINER
HALFORD, BRIAN D

ART UNIT	PAPER NUMBER
3672	

DATE MAILED: 07/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/964,160	CAMERON, JOHN A. M.	
	Examiner	Art Unit	
	Brian D Halford	3672	

-- The MAILING DATE of this communication appears on th cover sheet with the correspondenc address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *28 April 2003* .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-24* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-24* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3 .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Castano-Mears *et al.* in view of Evans *et al.* Castano-Mears *et al.* disclose a downhole expandable well screen that expands to substantially contact the wall of a wellbore. Furthermore, as stated in lines 19-25 of Column 1, the expandable well screen finds employment with productive, relatively unconsolidated downhole formations. As shown in Figures 15-18 and discussed in lines 8-40 of Column 11, the expandable well screen (166) contains expandable metal tubular ribs (172), a perforated base pipe (168) and a filtering media (170). Though not illustrated, the expandable well screen (166) may contain a protective outer shroud as disclosed in last two paragraphs of column 4, lines 18-21 of column 7 and lines 29-41 of column 10. Some of the ribs are utilized as housings to convey a myriad of instrumentation lines. Lines 36-40 of the aforementioned column clearly state that any type of line may be inserted through the hollow ribs (172). Figure 18 lucidly depicts a hollow rib (172) containing a hydraulic or chemical injection line (176), an electrical line (178) and a fiber optic line (180).

However, Castano-Mears *et al.* disclose in lines 41-45 of Column 11 that the ribs or housings (172) are designed to collapse under excessive expansion force. As stated in lines 50-54 of the same column, the collapse of the sacrificial ribs (172) under excessive expansion force preserves the structural integrity of the filtering media (170). Thus, the expandable well screen (166) is retained for future use. Castano-Mears *et al.* do not disclose, however, a crescent-shaped housing wherein the housing is placed between the expandable well screen and the wellbore. The patent to Evans *et al.* disclose an encapsulated control line for employment in downhole applications. Evans *et al.* teach in lines 54-61 of column 1 that crushed control lines entail costly wellbore operations that involve the pulling of the production tubing to repair the damaged lines. As such, Evans *et al.* is primarily concerned with preserving the integrity of control lines during downhole operations. Evans *et al.* disclose the invention in columns 1-4; furthermore, the invention is depicted in Figures 1 and 2. As discussed in lines 45-61 and 7-14 of respective columns 1 and 2, an encapsulation for control lines fabricated from elastomeric material is disclosed that is capable of withstanding excessive radial expansion forces. As such, the control lines enveloped by the elastomeric material remain intact while the encapsulation is subject to excessive radial expansion forces. As mentioned in lines 3-8, 30 and 34-68 of column 3, the encapsulation, generally designated by the letter, "A" contains a crescent-shaped sheath or housing (14) of elastomeric material and two metal tubulars (12, 13) that serve as fluid control lines. Evans *et al.* outline additional advantages of the invention in lines 47-59 of column 4. Therefore, it would have

been obvious to a person having ordinary skill in the art, at the time the invention was made, to convey the instrumentation lines of Castano-Mears *et al.* in the encapsulation or line housing of Evans *et al.*, wherein the encapsulation is placed between the tool and the wall of the wellbore of Castano-Mears *et al.*, as taught by Evans *et al.*, to afford the structural integrity of instrumentation lines if the ribs of Castano-Mears *et al.* fail under excessive expansion force.

Response to Arguments

3. Applicant's arguments with respect to claims 1-12 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian D Halford whose telephone number is (703) 306-0556. The examiner can normally be reached on M-F 10:30-8:00; alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David J Bagnell can be reached on (703) 308-2151. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-7687 for regular communications and (703) 305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1020.

Brian D Halford
Examiner
Art Unit 3672

bdh bdh
July 8, 2003

William Neuder
Primary Examiner